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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DANIEL S. MORGAN,
9 Plaintiff,

10 v.

11 SGT. VERNETTE STOWERS, *et al.*,
12 Defendants.

Case No. C08-1168-JLR-JPD

REPORT & RECOMMENDATION

13 This is a civil rights action brought pursuant to 42 U.S.C. § 1983. On November 3, 1008, an
14 Order that had been sent by the Clerk to plaintiff at his last known address – the King County Jail – was
15 returned by the U.S. Postal Service, with an indication that plaintiff was no longer confined at the Jail.
16 (Dkt. No. 14). On November 17, 2008, another Order was similarly returned. (Dkt. No. 16). Under the
17 Local Rules, a *pro se* party “shall keep the court and opposing parties advised as to his current address.”
18 Local Rule CR 41(b). “If mail directed to a *pro se* plaintiff by the clerk is returned by the post office, and
19 if such plaintiff fails to notify the court and opposing parties within sixty days thereafter of his current
20 address, the court may dismiss the action without prejudice for failure to prosecute.” *Id.*

21 Plaintiff has failed to comply with this rule because he has not informed the court of his current
22 address and more than sixty days have elapsed since mail was returned by the post office. Accordingly,
23 the court recommends that this action be dismissed without prejudice for failure to prosecute. A proposed
24 Order is attached.

25 DATED this 21st day of January, 2009.

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28 JAMES P. DONOHUE
United States Magistrate Judge